

**CITY COUNCIL MEETING
DECEMBER 11, 2001**

Date & Time	Mayor Barr called the regular meeting of the City of Fort Worth City Council to order on the 11th day of December, A.D., 2001, at 7:10 p.m., in the City Council Chamber, 1000 Throckmorton. He stated that the City of Fort Worth would join the rest of the nation tonight to commemorate the events of September 11, 2001, with a special ceremony. He added that the meeting would begin with the posting of the colors by the Civil Air Patrol Cadets of Fort Worth. The following members and officers were present:
Attendance	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; Assistant City Secretary Sylvia Glover. With more than a quorum present, the following business was transacted:
Invocation	After observing a moment of silence, the invocation was given by Father William Winston, St. Anne's Episcopal Church.
Pledge	The Pledge of Allegiance was recited.
Minutes	On motion of Mayor Pro tempore McCloud, seconded by Council Member Haskin, the minutes of the regular meeting of December 4, 2001, were approved unanimously.
Special Presentations	<p>Ms. Mae Johnson, Fort Worth Sister Cities International Executive Director, introduced Mr. Mike Feeley from the Aviation Department and Herr Volker Klassen from Trier, Germany, who was participating in the Professional Intern Exchange Program with the Aviation Department. Mr. Feeley briefed Council on the Aviation Department's Internship Program and stated that Herr Klassen had worked at all three of the City's airports. He added that City staff had been impressed with his knowledge and that there were many similarities in airport operations in Germany and the U.S. Herr Klassen thanked the Council for the opportunity to work at the City's airports and expressed his appreciation to his host family, Mr. and Mrs. Dulle, and to Council Member Haskin for her hospitality during Thanksgiving.</p> <p>Council Member Lane stated that it was three months ago that the tragedy in New York and Washington D.C. occurred. He asked Herr Klassen to take his deepest appreciation back to the people of Germany for their hospitality to he, his wife, and other Council Members while they awaited permission to return to the States.</p>

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FORT WORTH, TEXAS
DECEMBER 11, 2001
PAGE 2 of 34**

Announcements Council Member Moss announced that a District 5 Community Forum would be held Tuesday, December 18, 2001, at 7:00 p.m., at Sunrise Elementary School. He invited everyone in District 5 to attend.

**Continued/
Withdrawn By
Staff** City Manager Jackson requested that Mayor and Council Communication No. L-13180 be withdrawn from the agenda.

Consent Agenda On motion of Council Member Moss, seconded by Mayor Pro tempore McCloud, the consent agenda was adopted unanimously.

**Ord. #14879
Water & Sewer
System Revenue
Refunding and
Improvement
Bonds, Series
2001** There was presented Ninth Supplemental Ordinance No. 14879 authorizing the issuance and sale of City of Fort Worth, Texas Water and Sewer System Revenue Refunding and Improvement Bonds, Series 2001. Council Member Silcox made a motion, seconded by Council Member Davis, that the ordinance be adopted. The motion carried unanimously.

**Presentation by
Boards or
Commissions** Ms. Jennifer Harnish, Parks and Community Services Advisory Board Chair, presented the Parks and Community Services Advisory Board Annual Report. She also introduced two other members from the Board, Katherine Rhodes and Teresa Ayala.

**Set Salaries for
Municipal Court
Judges** There was presented Municipal Court Advisory Committee Recommendation No. 65, recommending that the City Council set the following salaries based on a four percent salary increase for the Municipal Court Judges and to be effective September 29, 2001:

Ninfa Mares, Chief Judge	\$89,211.20
Steve Williamson, Deputy Chief Judge	\$79,934.40
Larry Reed, Judge	\$74,172.80
Sharon Newman-Stanfield, Judge	\$74,172.80
James Daniel Rodgers, Judge	\$74,172.80
JoAnn Reyes, Judge	\$74,172.80
Alicia R. Johnson, Judge	\$74,172.80
Robb D. Catalano, Judge	\$74,172.80
Gabriella K. Bendslev, Judge	\$74,172.80

Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

Council Member Lane stated that the City of Fort Worth had the finest court judges and attributed it to Judge Mares' leadership. He asked that all citizens support the judges.

**OCS-1254
Claims** There was presented Mayor and Council Communication No. OCS-1254 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance Department. It was the consensus of the City Council that the recommendation be adopted.

**G-13446
Ordinance to
Include Ad
Valorem Tax on
Motor Vehicles
Leased for
Personal Use** There was presented Mayor and Council Communication No. G-13446, dated November 27, 2001, from the City Manager recommending that the City Council adopt an ordinance revising Article 1 "In General" of Chapter 32 "Taxation" of the Code of the City of Fort Worth by adding Section 32-1 to provide that motor vehicles leased for personal use are subject to ad valorem taxation.

Betsy Price Ms. Betsy Price, 100 E. Weatherford, appeared before Council in opposition of the proposed ordinance.

Ed Wallace Mr. Ed Wallace, 1700 Merrick, appeared before Council in opposition of the proposed ordinance. He stated that the proposed tax would be selective and punitive and affected only those who leased cars. He added that there was no equity for people affected by this law and stated that something more equitable would be fair.

Council Member Picht made a motion, seconded by Council Member Silcox, that the recommendation be denied. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Moss, and Picht

NOES: Council Members Wentworth and Davis

ABSENT: None

**G-13450
Ord. #14880
Regulate Drilling
and Production
of Gas Wells
Within City Limits** There was presented Mayor and Council Communication No. G-13450, dated December 4, 2001, from the City Manager recommending that the City Council adopt Ordinance No. 14880 amending the Code of Ordinances of the City of Fort Worth, by adding Chapter 37, "Gas Drilling and Production," regulating the drilling and production of gas wells within the City.

- Jim Schell** Mr. Jim Schell, 901 Fort Worth Club Building, appeared before Council in favor of the ordinance. He expressed concern relative to the definition of "residence" and asked that the phrase "...but excluding those that are uninhabitable" be added to the term. He also expressed concern with insurance indemnity provisions whereby the Operator would indemnify City inspectors from any negligence that they do themselves.
- Steve Kosek** Mr. Steve Kosek, 8000 Truxton Court, appeared before Council in favor of the ordinance and expressed concerns for Council's continued protection of City parks.
- Jim Munkittrick** Mr. Jim Munkittrick, 10307 Round Hill Road, appeared before Council in opposition of the ordinance. He expressed concerns relative to gas well drilling and maintenance, slant drilling, and drilling in flood plains. He urged Council to consider a 600-foot setback.

Assistant City Attorney Sarah Fullenwider responded by stating City inspectors should have the latitude to determine habitability of structures. She added that the indemnity provisions protected the City and that any objection should be left to the courts to decide.

Council Member Davis made a motion, seconded by Council Member Silcox, that the recommendation be adopted with the following changes:

1. Sec. 15-32B: Add as last sentence, "The Gas Inspector shall conduct periodic inspections at least once a year of all permitted wells in the City to determine that the wells are operating in accordance with proper safety parameters as set out in this Ordinance and all regulations of the Commission."
2. Sec. 15-34D: Replace the period after "well" at end of paragraph with a comma and add, "...provided, however, that a new or supplemental permit shall be obtained before such well may be reworked for purposes of re-drilling, deepening or converting such well to a depth or use other than that set forth in the then current permit for such well."
3. Sec. 15-36C2: Add as last sentence, "Notice shall be sent to all registered neighborhood associations within one-half mile of the proposed drill site."

4. Renumber existing Sec. 15-36C6 to 15-36C7 and renumber remaining subparagraphs as appropriate and add new Sec. 15-36C6 as follows, "After a High Impact Permit application is submitted, the Gas Inspector shall evaluate the public impact of the proposed activity. The Gas Inspector shall consider the proposed site and the proposed operations or drilling program and shall draft recommended restrictions or conditions, including minimum separation distance for drilling or other operations, special safety equipment and procedures, noise levels, screening and any other requirements the Gas Inspector deems appropriate. The recommendation shall be submitted to the City Council for consideration prior to the public hearing."
5. Renumbered Sec. 15-36C7: After "...application" add "...and the recommendations of the Gas Inspector."
6. Renumbered Section 15-36C9: Add subparagraph "g. The recommendations of the Gas Inspector."
7. Sec. 15-36, II.B: Add as last sentence, "Notice shall be sent to all registered neighborhood associations within one-half mile of the proposed drill site."
8. Sec. 15-41C2: Second sentence, replace "...location" with "...per occurrence"
9. Sec. 15-41C4b: Replace "...non sudden" with "...accidental"
10. Sec. 15-41C5: At the \$5,000,000.00 requirement, after "aggregate," add "...if available, otherwise an aggregate of ten (10) million dollars"
11. Sec 15-41C8b: After "City," add "...with the exception of Environmental Pollution Liability and Control of Well coverage."

The motion carried unanimously.

G-13452
Settlement of
Claim by Donald
McGowan and
Attorney Jim
Adler

There was presented Mayor and Council Communication No. G-13452 from the City Manager recommending that the City Council approve the settlement of the claim filed by Donald McGowan and his attorney Jim Adler; and authorize the City Manager to expend the sum of \$50,000.00 for the settlement agreed to by Donald McGowan, his attorney, and the City of Fort Worth; and authorize

issuance of a check in the amount of \$50,000.00, payable to Donald McGowan and his attorney Jim Adler. It was the consensus of the City Council that the recommendation be adopted.

G-13453
Ord. #14881
Amend Ord #
13701 -
Authorize
Issuance of
Equipment Tax
Notes

There was presented Mayor and Council Communication No. G-13453 from the City Manager recommending that the City Council adopt Ordinance No. 14881 amending Ordinance No. 13701, authorizing issuance of Equipment Tax Notes. It was the consensus of the City Council that the recommendation be adopted.

G-13454
Mid-Year
Adjustment to
FY2001-2002
Crime Control
and Prevention
District Budget

There was presented Mayor and Council Communication No. G-13454 from the City Manager recommending that the City Council approve the transfer of \$18,122.00 from the Neighborhood Code Compliance Program to the Parks Community Policing Program in the FY2001-2002 Crime Control and Prevention District Budget for park lighting. It was the consensus of the City Council that the recommendation be adopted.

G-13455
Fund Police In-
Car Video
Systems

There was presented Mayor and Council Communication No. G-13455 from the City Manager recommending that the City Council authorize the City Manager to submit a certification letter to the Texas Department of Public Safety regarding funding for police in-car video systems. It was the consensus of the City Council that the recommendation be adopted.

Public Hearing

It appeared that the City Council set today as the date for a public hearing to adopt an ordinance designating the Tax Abatement Reinvestment Zone No. 39, City of Fort Worth Texas, Chapter 312 of the Texas Tax Code. Mayor Barr asked if there was anyone present desiring to be heard.

Mrs. Ardina Washington, representing Economic Development, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-13456, as follows:

G-13456
Ord. #14882
Designate Tax
Abatement
Reinvestment
Zone No. 39

There was presented Mayor and Council Communication No. G-13456 from the City Manager recommending that the City Council:

1. Hold a public hearing concerning the designation of the Tax Abatement Reinvestment Zone No. 39, City of Fort Worth, Texas; and

2. **Adopt Ordinance No. 14882 designating a certain area in the City of Fort Worth as "Tax Abatement Reinvestment Zone No. 39, City of Fort Worth, Texas"; providing the effective and expiration dates for the zone and a mechanism for renewal of the zone; and containing other matters related to the zone.**

Council Member Davis made a motion, seconded by Council Member Wentworth, that the public hearing be closed and the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Haskin, Moss, Picht,
Wentworth, and Davis

NOES: Council Member Silcox

ABSENT: None

**G-13457
Ord. #14883
Amend 2000
International
Energy
Conservation
Code and 2001
Supplement**

There was presented Mayor and Council Communication No. G-13457 from the City Manager recommending that the City Council adopt Ordinance No. 14883 amending the Fort Worth City Code, by creating a Fort Worth Energy Code; adopting the 2000 International Energy Conservation Code and the 2001 Supplement to the 2000 International Energy Conservation Code, with local amendments; creating Sections 7-41, 7-42, 7-43 and 7-44 of the Code of the City of Fort Worth (1986); regulating the design of building envelopes for the effective use of energy as associated with the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, and maintenance of buildings and structures in the City of Fort Worth; defining certain terms; providing for the inspection of buildings. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

**G-13458
Res. #2795
Authorize City to
File Lawsuit
Against GAMR,
LTD.**

There was presented Mayor and Council Communication No. G-13458 from the City Manager recommending that the City Council authorize the City Attorney to file a lawsuit against GAMR, LTD. pursuant to Chapter 54 of the Texas Local Government Code; and adopt Resolution No. 2795 authorizing the City Attorney to file a lawsuit against GAMR, LTD. pursuant to Chapter 54 of the Texas Local Government Code. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

**G-13459
Ord. #14884
Extend
Moratorium for
Acceptance of
Applications for
Planned
Development
Zoning**

There was presented Mayor and Council Communication No. G-13459 from the City Manager recommending that the City Council adopt Ordinance No. 14884 extending a moratorium on the acceptance of applications for Planned Development Zoning for oil and gas drilling and production pending consideration of the adoption of an Oil and Gas Drilling and Production Ordinance. Council Member Silcox made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

**G-13460
Nominate
Certain City-
Owned
Structures for
Historic and
Cultural
Landmark
Designation**

There was presented Mayor and Council Communication No. G-13460 from the City Manager recommending that the City Council authorize the City Manager to prepare nominations for appropriate historic designation of certain City-owned structures in accordance with Chapter 4, Article 5 of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, Subsection A "Nomination" of Section 4.503 "Procedures for Designation of Property." Council Member Moss made a motion, seconded by Council Member Haskin, that the recommendation be adopted.

Council Member Picht made a substitute motion, seconded by Council Member Silcox, that the Will Rogers Memorial Complex, Public Safety Building, and the City Zoo, be excluded from the recommendation.

Council Member Wentworth expressed concern with the City Zoo being selected for historic preservation. He stated that the Zoo had done a wonderful job and that it was not appropriate to have them go through the Historic and Landmarks Commission each time they wanted to alter the buildings or grounds.

Council Member Davis inquired why the Zoo was placed on the listing for historic designation. Ms. Shannon Wasielewski, Preservation Planner for the City, stated that the grounds of the zoo were historic and the Commission wanted to protect the overall character of the zoo.

Council Member Wentworth made a second substitute motion, seconded by Council Member Haskin, that the recommendation be adopted with the exclusion of the zoo. The motion carried unanimously.

Public Hearing It appeared that the City Council set today as the date for a public hearing to approve of Mid-Year Adjustment to FY2001-2002 Crime Control and Prevention District Budget for training and equipment for 50 additional officers. Mayor Barr asked if there was anyone present desiring to be heard.

Assistant City Manager Libby Watson appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-13461, as follows:

**G-13461
Ord. #14885
Mid-Year
Adjustment to
FY2001-2002
CCPD** There was presented Mayor and Council Communication No. G-13461 from the City Manager recommending that the City Council:

1. Approve a mid-year adjustment to the FY2001-2002 Crime Control and Prevention District (CCPD) budget to fund training and equipment for 50 additional officers and ten additional vehicles; and
2. Adopt Supplemental Appropriation Ordinance No. 14885 appropriating \$1,573,890.00 to the Crime Control and Prevention District Fund and decreasing the unreserved, undesignated Crime Control and Prevention District balance by the same amount for the purpose of providing funding for training and equipment for 50 additional police officers.

Council Member Silcox made a motion, seconded by Council Member Moss, that the public hearing be closed and the recommendation be adopted. The motion carried unanimously.

**G-13462
Ord. #14886
Amend Chapter
34, "Vehicles for
Hire" Article IV
"Taxicabs"** There was presented Mayor and Council Communication No. G-13462 from the City Manager recommending that the City Council adopt Ordinance No. 14886 amending the Code of the City of Fort Worth (1986), as amended, by the amendment of Chapter 34, "Vehicles for Hire" as follows: Article IV, "Taxicabs," amending the entire Article by changing "Supervisor of Public Utilities" to "Ground Transportation Coordinator"; Section 34-111, "Definitions" is amended by the addition of definitions for "Defensive Driving Course" and "Hearing Officer"; by the addition of Section 34-111.1, providing that the Director of Municipal Court will enforce the provisions of this Article; Section 34-118, "Suspension or Revocation of the Grant of Privilege" providing that the City Manager may suspend the grant of privilege for up to thirty days without notice when the general welfare of the citizen

requires suspension and providing that the City Council may lessen or terminate such period and providing that if a grant of privilege is revoked, the privilege holder cannot apply for a new grant for two years; Section 34-119 "Fee; When Fee Payable," providing the license fee for taxicabs; Section 34-122 "Rates; Posting" providing that the City shall provide rate placards at the time of initial permitting and when rates are changed; Section 34-124 "Inspection and Test for Taximeters" providing that a taximeter with a broken or removed seal may not be placed in service until it is reinspected and providing a ten dollar inspection fee; Section 34-126 "Payment of Fare, Refusal to Carry Passengers; Excess Fare Prohibited; Nonpayment of Fare" deleting the provision allowing demand for payment before picking up a passenger; Section 34-129 "Privilege Holder Responsible for Operation of Taxicabs and Policies Relating Thereto." Providing that a violation of this section shall be grounds for revocation of a holder's grant for up to two years; Section 34-131 "Dress Standards for Drivers" providing that a violation of the section shall be grounds for suspension or revocation of the driver's permit' Section 34-134 "Taxicab Drivers Permit Required; Application and Information; Qualifications; Issuance; Fee Term" providing that a twenty-five nonrefundable fee must accompany an application for a driver's permit and that an applicant must complete a defensive driving course within six months of applying for a permit; Section 34-135 "Grounds for Denial; Expiration; Change of Address; Telephone Number and Employment" providing that if a driver changes grant holders, the driver must submit a new application and pay a ten dollar fee and providing that a replacement permit shall cost five dollars; Section 34-137 "Suspension or Revocation of a Taxicab Permit" by providing the process of suspension; Section 34-138 "Appeal from Denial, Suspension, or Revocation" providing that an appeal of a suspension, denial or revocation of a taxicab driver's permit shall be heard before a hearing officer; Section 34-139 "Inspection of Taxicabs" providing that the taxicab decal must be placed on the right side of the rear window and that it shall be grounds for suspension or revocation if the holder fails to make the taxicab available for inspection and that the fee for inspection shall be twenty-five dollars; Section 34-143 "Representation of Availability of a Taxicab" providing that it is grounds for suspension if a taxicab driver represents that his taxicab is engaged when the taxicab is vacant or not engaged; Section 34-144 "Passenger Limitations" providing that a driver may not carry more passengers than the designated seating allows; Section 34-147 "Insurance" providing new insurance requirements; by the

addition of Section 34-148 "Taxicab Decals" by providing that taxicab operating in the City must have a taxicab decal; Section 34-149 "Return of Passenger's Property" providing that a passenger's property must be returned and that the holder must make a good faith effort to return the property and must hold the property for thirty days; by the addition of Section 34-150 "Violations and Penalties: by providing that a violation of any provision of this article shall upon conviction be fined in an amount not more than two hundred dollars and to be in effect January 1, 2002. Council Member Silcox made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**G13463
Deletion of ETJ
Community Park
Dedication
Requirement**

There was presented Mayor and Council Communication No. G-13463 from the City Manager recommending that the City Council approve deletion of the extraterritorial jurisdiction (ETJ) community park dedication requirement from the Neighborhood and Community Park Dedication Policy. Council Member Moss made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

**G-13464
Fee Adjustments**

There was presented Mayor and Council Communication No. G-13464 from the City Manager recommending that the City Council adopt fee adjustments for park reservations, festival equipment, athletic field rentals, and community center rentals effective January 1, 2002. Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**P-9502
Water Meters**

There was presented Mayor and Council Communication No. P-9502 from the City Manager recommending that the City Council:

1. Authorize a purchase agreement for water meters from multiple vendors for the Water Department based on the low bid of unit prices; and
 - a. Master Meter, Inc. – Item Nos. 1a, 2a, 3a, and 4a. Payment is due 30 days after receipt of the invoice.
 - b. Hersey Meters Company – Item Nos. 1b, 2b, 13, 14, 15, and 17c thru 18. A 2 percent discount is offered if paid in 15 days, net payment due 30 days after receipt of invoice.

- c. Badger Meter, Inc. – Item Nos. 3b, 4b, 7, 8, and 16. Payment is due 30 days after receipt of the invoice.
- d. ABB Water Meters, Inc. – Item Nos. 5, 6, 10, 11, 12, 17a, and 17b. Payment is due 30 days after receipt of the invoice.

- 2. Authorize this agreement to begin on December 11, 2001, and expire December 10, 2002, with options to renew for two successive one-year periods.

It was the consensus of the City Council that the recommendation be adopted.

P-9503
Amend M&C
P-9462 – Dump
Truck with
Emulsion Unit

There was presented Mayor and Council Communication No. P-9503 from the City Manager recommending that the City Council authorize the amendment of M&C P-9462 for the purchase of one additional dump truck with emulsion unit from Southwest International for the Water Department for an amount not to exceed \$94,200.00, with payment due 30 days from the date the invoice is received. It was the consensus of the City Council that the recommendation be adopted.

P-9504
Decorative
Streetlights

There was presented Mayor and Council Communication No. P-9504 from the City Manager recommending that the City Council:

- 1. Authorize a purchase agreement for decorative streetlights from multiple vendors for the Transportation and Public Works Department based on the low bid meeting specifications with freight included in the unit cost and payment due 30 days after receipt of the invoice; and

<u>Company</u>	<u>Item No.</u>
Niland Company	1-3
Antique Street Lights	4

- 2. Authorize this agreement to begin December 11, 2001, and expire December 10, 2002, with options to renew for two successive one-year periods.

It was the consensus of the City Council that the recommendation be adopted.

**P-9505
McAfee Active
Virus Defensive
Suite Licenses**

There was presented Mayor and Council Communication No. P-9505 from the City Manager recommending that the City Council authorize a purchase agreement with FutureCom for McAfee Active Virus Defense Suite licenses for the Information Technology Solutions Department using the State of Texas General Service Commission Catalogue purchasing procedures at an estimated cost of \$45,430.00. It was the consensus of the City Council that the recommendation be adopted.

**P-9506
Ord. #14887
Bullard Thermal
Imager Camera**

There was presented Mayor and Council Communication No. P-9506 from the City Manager recommending that the City Council:

1. Accept a monetary donation in the amount of \$25,000.00 from Park Place Dealerships; and
2. Adopt Appropriation Ordinance No. 14887 increasing the estimated receipts and appropriations in the General Fund in the amount of \$25,000.00 from available funds for the purpose of funding the purchase of one Bullard Thermal Imager for the Fire Department; and
3. Authorize the purchase of one Bullard Thermal Imaging Camera from Four Alarm Fire Equipment in the amount of \$16,666.00 for the Fire Department on the basis of documented sole source with payments due 30 days from the date of the invoice.

Council Member Silcox made a motion, seconded by Council Member Davis, that the recommendation be adopted with appreciation to Park Place Dealerships for their \$25,000.00 donation. The motion carried unanimously.

**L-13180
Withdrawn**

It was the consensus of the City Council that Mayor and Council Communication No. L-13180, dated November 6, 2001, Authorize the Sale of Tax Foreclosure Property Located at 2921 East Belknap Street to BWJW, LLC in Accordance with Section 34.015 of the Texas State Property Tax Code (DOE 920), be withdrawn from the agenda.

**L-13202
Conveyance of
One Parcel of
Property**

There was presented Mayor and Council Communication No. L-13202 from the City Manager recommending that the City Council authorize the City Manager to execute the General Warranty Deed conveying the property described as being a 3.68 acre tract of land out of the Lorenzo D. Burnett Survey, Abstract No. 1697, Dallas

County, Texas; and the Lorenzo D. Burnett Survey, Abstract No. 177, Tarrant County, Texas, to CentrePort Joint Venture, Inc.; and authorize the acceptance, filing and recording by the City of one avigation easement and release from CentrePort Joint Venture, Inc. covering the same property in favor of the cities of Dallas and Fort Worth and the Dallas/Fort Worth Airport Board. It was the consensus of the City Council that the recommendation be adopted.

**L-13203
Acceptance of
Permanent
Easement and
Right-of-Way
Parcel**

There was presented Mayor and Council Communication No. L-13203 from the City Manager recommending that the City Council approve the acceptance of one permanent easement described as Lot 5, Block 22, Weisenberger Sunny Hill Addition, from Charley Couch and one right-of-way parcel described as A-1768, Juan Armendarid Survey, Tarrant County, Texas, from Volunteers of America (DOE 2201), for construction and improvements on Timberline Drive for a total cost of \$2.00. It was the consensus of the City Council that the recommendation be adopted.

**L-13204
Conveyance of
Parcel of
Property and
Acceptance of
Avigation
Easement**

There was presented Mayor and Council Communication No. L-13204 from the City Manager recommending that the City Council authorize the City Manager to execute the General Warranty Deed conveying the property described as Lot 8, Block 201B, Area 2, Section 2, CentrePort, an addition to the City of Fort Worth, Texas, to CentrePort Joint Venture, Inc.; and authorize the acceptance, filing and recording by the City of one avigation easement and release from CentrePort Joint Venture, Inc. covering the same property in favor of the cities of Dallas and Fort Worth and the Dallas/Fort Worth Airport Board. It was the consensus of the City Council that the recommendation be adopted.

**L-13205
Amendment #3
to CSC # 19463 –
Lease
Agreement with
Town Mall, Ltd.**

There was presented Mayor and Council Communication No. L-13205 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 3 (City Secretary Contract No. 19463) to the lease agreement with Town Mall, Ltd. for office space at Fort Worth Town Center located at 4200 South Freeway for the Parks and Community Services Department. It was the consensus of the City Council that the recommendation be adopted.

**PZ-2337
Ord. #14888
Annexation of
2,089.587 Acres
Out of
Greenberry
Overton Survey,
Abstract #1185;
William Bramlet
and H.R. Ryan
Survey, Abstract
#227; M.E.P. &
P.R.R. Co.
Survey, Abstract
#1144; T.G.
Wright Survey,
Abstract #1136;
and Matthew
Ashton Survey,
Abstract #8,
Tarrant County;
Matthew Ashton
Survey, Abstract
#1, Wise &
Denton Counties
AAX-01-1001**

There was presented Mayor and Council Communication No. PZ-2337, dated November 13, 2001, from the City Manager recommending that the City Council adopt Ordinance No. 14888 declaring certain findings; providing for the extension of certain boundary limits of the City of Fort Worth; providing for the annexation of a certain 2089.587 acres (3.26 square miles) of land, more or less, out of the Greenberry Overton Survey, Abstract No. 1185, the William Bramlet and H.R. Ryan Survey, Abstract 227, the M.E.P. & P. RR. Co. Survey, Abstract No. 1144, the T.G. Wright Survey, Abstract No. 1136 and the Matthew Ashton Survey, Abstract No. 8, all of Tarrant County, Texas, the Matthew Ashton Survey, Abstract No. 1, Wise County, Texas, and the Matthew Ashton Survey, Abstract No. 1, Denton County, Texas (Annexation Case No. AAX-01-1001), which said territory lies adjacent to and adjoins the present corporate boundary limits of Fort Worth, Texas; providing that the territory annexed shall bear its pro rata part of taxes; providing that the inhabitants thereof shall have all the privileges of all the citizens of Fort Worth, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith.

Council Member Moss made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

**PZ-2340
Ord. #14889
Annexation of
2.6012 Acres
Out of Charles
Fleisner Survey,
Abstract #310,
and Matthew
Ashton Survey,
Abstract #1,
Wise County
AAX-01-1005**

There was presented Mayor and Council Communication No. PZ-2340 from the City Manager recommending that the City Council adopt Ordinance No. 14889 declaring certain findings; providing for the extension of certain boundary limits of the City of Fort Worth; providing for the annexation of a certain 2.6012 acres (.00406 square miles) of land, more or less, out of the Charles Fleisner Survey, Abstract No. 310, and the Matthew Ashton Survey, Abstract No. 1, and being that same 25 foot wide strip of land conveyed to William Blakely, Wise County, Texas (Annexation Case No. AAX-01-1005) which said territory lies adjacent to and adjoins the present corporate boundary limits of Fort Worth, Texas; providing that the territory shall bear its pro rata part of taxes; providing that the inhabitants thereof shall have all the privileges of all the citizens of Fort Worth, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith.

City Attorney Yett stated that the M&C needed to be amended to include the legal descriptions in the revised Exhibit B that was provided to Council during the Pre-Council meeting.

Council Member Wentworth made a motion, seconded by Council Member Haskin, that the recommendation be adopted as amended. The motion carried unanimously.

**C-18865
Ord. #14890
Austin Bridge &
Road, Inc.**

There was presented Mayor and Council Communication No. C-18865 from the City Manager recommending that the City Council:

1. Authorize the transfer of \$505,782.00 from the Water and Sewer Fund to the Water Capital Project Fund in the amount of \$389,486.00 and the Sewer Capital Project Fund in the amount of \$116,296.00; and
2. Adopt Appropriation Ordinance No. 14890 increasing the estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$389,486.00 and in the Sewer Capital Project Fund in the amount of \$116,296.00 from available funds for the purpose of funding a contract with Austin Bridge & Road, Inc., for HMAC Surface Overlay 2002-9; and
3. Authorize the City Manager to execute a contract with Austin Bridge & Road, Inc. in the amount of \$919,964.00 for HMAC Surface Overlay 2002-9, and 140 working days.

It was the consensus of the City Council that the recommendation be adopted.

**C-18866
South Bend
Construction,
LC**

There was presented Mayor and Council Communication No. C-18866 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with South Bend Construction, LC in the amount of \$178,855.00 for surface wedge milling at various locations (2002-3) for the Transportation and Public Works Department. It was the consensus of the City Council that the recommendation be adopted.

**C-18867
Change Order #1
to CSC #27062–
Stabile & Winn,
Inc.**

There was presented Mayor and Council Communication No. C-18867 from the City Manager recommending that the City Council authorize the City Manager to execute Change Order No. 1 (City Secretary Contract No. 27062) with Stabile & Winn, Inc. for the reconstruction of Grove Street from 7th Street to 8th Street, in the

amount of \$83,593.24 thereby increasing the contract amount to \$471,582.00. It was the consensus of the City Council that the recommendation be adopted.

**C-18868
Peachtree
Construction,
Ltd**

There was presented Mayor and Council Communication No. C-18868 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Peachtree Construction, Ltd in the amount of \$1,503,930.00 for HMAC (hot mix asphalt concrete) Surface Overlay 2002-8, for 100 working days. It was the consensus of the City Council that the recommendation be adopted.

**C-18869
Peachtree
Construction,
Ltd**

There was presented Mayor and Council Communication No. C-18869 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Peachtree Construction, Ltd in the amount of \$1,297,369.00 for HMAC (hot mix asphalt concrete) Surface Overlay 2002-5 and 105 working days. It was the consensus of the City Council that the recommendation be adopted.

**C-18870
Amendment #1
to CSC #26843 –
Teague Nall and
Perkins, Inc.**

There was presented Mayor and Council Communication No. C-18870 from the City Manager recommending that the City Council authorize the City Manager to execute Amendment No. 1 to City Secretary Contract No. 26843 with Teague Nall and Perkins, Inc. in the amount of \$216,000.00 for water and sanitary sewer extension for the Lake Crest Estates area (Annexation Case No. A-00-18) , to provide for additional design and survey services, thereby increasing the contact amount to \$644,383.00. It was the consensus of the City Council that the recommendation be adopted.

**C-18871
Ord. #14891
Ord. #14892
TxDOT**

There was presented Mayor and Council Communication No. C-18871 from the City Manager recommending that the City Council:

1. Authorize the City Manager to execute a contract with the Texas Department of Transportation (TxDOT) to continue to operate the Comprehensive STEP (Selective Traffic Enforcement Program) on an overtime basis in the amount of \$201,692.00 (State \$182,884.00/City \$18,808.00); and
2. Authorize the contract to begin October 1, 2001, and expire September 30, 2002; and

- 3. Adopt Appropriation Ordinance No. 14891 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$201,692.00 subject to the acceptance of the contract from the Texas Department of Transportation for the purpose of funding the Comprehensive Selective Traffic Enforcement Program on an overtime basis; and**
- 4. Adopt Appropriation Ordinance No. 14892 increasing the estimated receipts and appropriations in the State Awarded Assets Fund in the amount of \$18,808.00 from available funds for the purpose of funding the Comprehensive Selective Traffic Enforcement Program on an overtime basis; and**
- 5. Authorize the City Manager to waive indirect costs in the amount of \$31,282.00 since indirect costs are not allowed by the Texas Department of Transportation.**

It was the consensus of the City Council that the recommendation be adopted.

**C-18872
Bracy Williams
& Company**

There was presented Mayor and Council Communication No. C-18872 from the City Manager recommending that the City Council authorize the City Manager to enter into a contract with Bracy Williams & Company for consultation and representation related to issues of concern before the U.S. Congress, federal agencies, and the Administration; and authorize the contract to begin January 1, 2002, and expire December 31, 2002, with an option to renew for two additional one-year terms under the conditions outlined in the contract. Council Member Haskin made a motion, seconded by Council Member Davis, that the recommendation be adopted. The motion carried unanimously.

**C-18873
Salon Flip, LLC**

There was presented Mayor and Council Communication No. C-18873 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Salon Flip, LLC authorizing use of the right-of-way for the installation of a sign at 711 West Magnolia Avenue. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

**C-18874
Perdue,
Brackett, Flores,
Utt and Burns or
Linebarger
Goggan Blair
Pena &
Sampson**

There was presented Mayor and Council Communication No. C-18874 from the City Manager recommending that the City Council authorize the City Manager to negotiate and execute a three year contract with the law firm of (a) Perdue, Brackett, Flores, Utt and Burns or (b) Linebarger Goggan Blair Pena & Sampson for the collection of delinquent property taxes; and authorize the contract to begin January 1, 2002, and expire December 31, 2004, with two one-year renewal options. There is no cost to the City as all costs are borne by the law firm and recovered as provided by the State Property Tax Code.

Council Member Silcox made a motion, seconded by Council Member Davis, to select the law firm of “(a) Perdue, Brackett, Flores, Utt and Burns.”

Council Member Picht made a substitute motion, seconded by Council Member Lane, to select the law firm of “(b) Linebarger Goggan Blair Pena & Sampson.” The motion failed by the following vote:

AYES: Council Members Lane, Picht, and Wentworth

NOES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Silcox, Haskin, Moss,
and Davis

ABSENT: None

The original motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Silcox, Haskin, Moss,
and Davis

NOES: Council Members Lane, Picht, and Wentworth

ABSENT: None

**C-18875
Reject Bids for
Commerce
Street Drainage
Improvements**

There was presented Mayor and Council Communication No. C-18875 from the City Manager recommending that the City Council reject all bids for Commerce Street drainage improvements. Council Member Silcox made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.

**C-18876
Fort Worth
Brahmas
Hockey Club**

There was presented Mayor and Council Communication No. C-18876 from the City Manager recommending that the City Council authorize the City Manager to execute a 60-day extension to the Professional Services Agreement with the Fort Worth Brahmas Hockey Club, with a 30-day extension to be exercised under certain conditions, to market the naming rights sponsorship for the Fort Worth Convention Center Arena. Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**C-18877
Texas Utilities
Energy Services**

There was presented Mayor and Council Communication No. C-18877 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Texas Utilities Energy Services for the purchase of landfill gas for the Village Creek Wastewater Treatment Plant Gas Turbine Power Generation System.

Council Member Moss informed Council that he had a conflict with this issue, that he had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Picht, Wentworth, and Davis

NOES: None

ABSENT: None

NOT VOTING: Council Member Moss

**C-18878
Sendera Ranch,
Ltd.**

There was presented Mayor and Council Communication No. C-18878 from the City Manager recommending that the City Council approve the Developer's Agreement with Sendera Ranch, Ltd. and authorize the City Manager or a designee to execute the agreement. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried unanimously.

C-18879
Outriders of the
Fort Worth Herd

There was presented Mayor and Council Communication No. C-18879 from the City Manager recommending that the City Council authorize the City Manager to execute an agreement with the Outriders of the Fort Worth Herd to provide support for the Fort Worth Herd Program; and authorize the agreement to begin December 1, 2001, and expire November 30, 2004, with an option to renew for one additional one-year period by mutual consent of the City and the Outriders of the Fort Worth Herd.

Steve King

Mr. Steve M. King appeared before Council and provided the history of the Outriders. Mayor Barr expressed the City's appreciation for the funds the Outriders had raised in support of the program.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

Mayor Barr announced that the Salt Lake City 2002 Olympic Torch Relay would be coming to Fort Worth Wednesday, December 12. He stated that the torch would be leaving the Santa Fe Depot at 7:00 a.m. and will come down 9th Street past City Hall and the public Safety and Municipal Courts at about 7:03 a.m. The torch would wind through Fort Worth for about 22 miles. Once out of downtown, it would generally go down Summit and then over to Hemphill via Rosedale. From Summit it would use Seminary Drive, generally, to University Drive. The relay would proceed north of University through the Cultural District and into the North Side via Lincoln and over to the Historic Stockyards via 25th Street. The Fort Worth torch relay celebration would begin at 9:00 a.m. on stage in front of the Livestock Exchange Building, with the official welcome ceremony starting at 10:20 a.m. and Fort Worth Stock Show Chair Ed Bass would take the flame off the stage and send it on its way with an escort from the Fort Worth Herd and the Police Department Mounted Patrol. At Main and Exchange, Mr. Bass would pass the flame to 94-year-old Fort Worth retired educator and civic leader, Hazel Havey Peace. The torch would be carried down Main Street to General Worth Square where it would depart for Arlington.

Recess

At this time, Mayor Barr announced that the City Council would take a ten-minute recess at 8:39 p.m.

Reconvened

The City Council reconvened into regular session at 8:50 p.m. with all members present.

- Regular Zoning Hearing** It appeared to the City Council that Resolution No. 2794 was adopted on November 20, 2001, setting today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the Commercial Recorder the official newspaper of the City of Fort Worth, on November 21, 2001. Mayor Barr asked if there was anyone present desiring to be heard.
- ZC-01-1005
SP-01-1024
Approved** Council Member Silcox made a motion, seconded by Council Member Wentworth, that the application of Mark's Plumbing Company for a change in zoning of property located 3300 and 3304 Ramona Drive from "PD/SU/378" Planned Development/Specific Use for parking lot and "B" Two-Family to amend PD 378 to construct plumbing supply facility, place fencing on north side of building for truck bay, and extend fencing on west side of building, Zoning Docket No. ZC-01-1005 and Site Plan No. SP-01-1024, be approved. The motion carried unanimously.
- ZC-01-1016
Approved** It appeared that the City Council, at its meeting of November 13, 2001, continued the hearing of the application of Carter & Burgess for a change in zoning of property located at the Northeast corner of Avondale Haslet Road and Willow Springs Road from "AG" Agricultural to "CF" Community Facilities, "A-5", "A-7.5", "A-10", and "A-43" One-Family, "C" Medium Density Multi-Family, and "E" Neighborhood Commercial, Zoning Docket No. ZC-01-1016. Mayor Barr asked if there was anyone present desiring to be heard.
- Jim Schell** Mr. Jim Schell, 901 Fort Worth Club Building, appeared before Council in favor of the zoning change. He briefed Council on improved density level based on land reconfiguration and stated that the area would eventually be inhabited by 20,000 residents.
- Council Member Haskin inquired if the property was in a gated community or a Public Improvement District (PID).
- Thad Brundrett** Mr. Thad Brundrett, 777 Main, appeared before Council and responded that the property was in a gated community and that no PID had been formed. He added that they plan to develop a master planned community that included a fair amount of park facilities and approximately 40 acres for public facilities.

There being no one else present desiring to be heard in connection with the application of Carter & Burgess, Council Member Wentworth made a motion, seconded by Council Member Silcox, that the Zoning Hearing be closed and that Zoning Docket No. ZC-01-1016 be approved. The motion carried unanimously.

**ZC-01-1018
Approved**

Council Member Moss made a motion, seconded by Council Member Picht, that the application of the City of Fort Worth Planning Department for a change in zoning of property described as Map F: 3749 Radford Road from "B" Two-Family to "A-5" One-Family and Map G: 4808 and 4900 Norma Street from "C" Medium Density Multi-Family to "A-5" One-Family, Zoning Docket No. ZC-01-1018, be approved. The motion carried unanimously.

**ZC-01-1024
Approved**

Council Member Lane made a motion, seconded by Council Member Silcox, that the application of the City of Fort Worth Planning Department for a change in zoning of property described as Map B: 3203, 3205, 3207, and 3208 Schadt Street, and Map E: 2804 Northwest 17th Street from "B" Two-Family to "A-5" One-Family, Zoning Docket No. ZC-01-1024, be approved. The motion carried unanimously.

**ZC-01-1026
Areas 3 & 9
Approved**

It appeared that the City Council, at its meeting of November 27, 2001, continued the hearing of Zoning Docket No. ZC-01-1026, application of the City of Fort Worth Planning Department for a change in zoning of property described below:

Area 3: 3600-3800 Block of Triangle Boulevard from "AG" Agricultural to "PD/SU" Planned Development/Specific Use for all uses in "FR" General Commercial Restricted plus machine shop, metal fabricating, veterinary facility with outdoor kennels and grease recycling, and waiver of site plan recommended.

Area 9: 8600-8700 Block of Old Denton Road from "AG" Agricultural to "I" Light Industrial.

Mayor Barr asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the application of the City of Fort Worth Planning Department, Mayor Barr informed Council that City Attorney Yett had informed him that a separate vote had to be taken for the three areas relative to this case.

Council Member Haskin made a motion, seconded by Council Member Silcox, that the Zoning Hearing be closed and that Zoning Docket No. ZC-01-1026, Area 3 be approved with the following changes:

- 1. Parcels 1, 2, and 3: Remain “AG” Agricultural (Denied without prejudice)**
- 2. Parcels 4, 5, 6, 8, 9, and 10: To “FR” Commercial Restricted**
- 3. Parcel 7: To “PD/SU” Planned Development/Specific Use for all uses in “FR” Commercial Restricted plus machine shop and metal fabrication**
- 4. Parcel 11: To “PD/SU” Planned Development/Specific Use for all uses in “FR” Commercial Restricted plus grease recycling**
- 5. Parcels 12 and 13: To “PD/SU” Planned Development/Specific Use for all uses in “FR” Commercial Restricted plus veterinary clinic with outdoor livestock pens.**

The motion carried unanimously.

Council Member Haskin made a motion, seconded by Council Member Silcox, that the Zoning Hearing be closed and that Zoning Docket No. ZC-01-1026, Area 9 be approved with the following changes:

- 1. Parcel 1: To “I” Light Industrial save and except the southernmost 200 feet adjacent to the 3500 Block of Thompson Road. For the southern 200 feet, “PD/SU” Planned Development/ Specific Use for the following uses: Agricultural and Residential**
- 2. Parcels 2-8: To “I” Light Industrial**

The motion carried unanimously.

**ZC-01-1026
Area 10
Approved**

Council Member Haskin made a motion, seconded by Council Member Silcox, that the application of the City of Fort Worth Planning Department for a change in zoning of property described as Area 10: 3500-3700 Block of Thompson Road from “AG” Agricultural to “PD/SU” Planned Development/Specific Use for agricultural, residential, retail, commercial and light industrial uses

with exceptions and additional conditions, and with waiver of site plan recommended, Zoning Docket No. ZC-01-1026, be approved with the following changes:

All parcels to "PD/SU" Planned Development/Specific Use to include the following uses: The southern 200 feet restricted to agricultural or residential; 32 retail/commercial uses and 7 light industrial uses; with 4.5 foot maximum sign height, 36 square feet maximum area, business structures must be set back 200 feet from the existing north right-of-way of Thompson Road. Open storage areas must maintain solid wood, metal and/or masonry fencing to the height of the products being stored, but no higher than 12 feet. Lighting no higher than 24 feet. Any temporary buildings will meet city restrictions.

The motion carried unanimously.

**ZC-01-1041
Approved**

It appeared that the City Council, at its meeting of November 27, 2001, continued the hearing of the application of J.D. Von Wahlde for a change in zoning of property located at the 1216 South Jennings Avenue from "D" High Density Multi-Family and "G" Intensive Commercial to "PD/SU" Planned Development/Specific Use for uses in "G" Intensive Commercial plus outside storage of trailers, equipment and roofing trusses, 8-foot solid wood fence required along south and east sides with an 8-foot lagustrum on the eastside and with waiver of site plan recommended, Zoning Docket No. ZC-01-1041. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the application of J.D. Wahlde, Council Member Davis made a motion, seconded by Council Member Silcox, that the Zoning Hearing be closed and that Zoning Docket No. ZC-01-1041 be approved. The motion carried unanimously.

**ZC-01-1043
SP-01-1012
Approved**

Council Member Lane made a motion, seconded by Council Member Silcox, that the application of Felipe and Rosa Munoz for a change in zoning of property located at 1109 East Long Avenue from "E" Neighborhood Commercial to "PD/SU" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial plus auto sales, monument sign instead of pole sign, hours of operation 8:00 a.m. to 8:00 p.m., Monday through Saturday, and compliance with landscape regulations, Zoning Docket No. ZC-01-1043 and Site Plan No. SP-01-1012, be approved. The motion carried unanimously.

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| ZC-01-1045
SP-01-1015
Approved | Council Member Wentworth made a motion, seconded by Council Member Silcox, that the application of Bailey Avenue Partners, LP for a change in zoning of property located at 200 Bailey Avenue and 225 Casa Blanca Avenue from "ER" Neighborhood Commercial Restricted and "C" Medium Density Multi-Family to "PD/SU" Planned Development/Specific Use for a professional office facility with off-street parking, Zoning Docket No. ZC-01-1045 and Site Plan No. SP-01-1015, be approved. The motion carried unanimously. |
| ZC-01-1051
SP-01-1017
Approved | Council Member Lane made a motion, seconded by Council Member Silcox, that the application of One Prairie Meadows, Ltd. for a change in zoning of property located in the 12000 Block of Old Denton Road from "PD-405" Planned Development/Specific Use for one-family residential development, "AR" One-Family Restricted, "A-5" One-Family Restricted and "CF" Community Facilities to "PD-405" Planned Development/Specific Use for one-family residential development, "AR" One-Family Restricted, "A-5" One-Family and "CF" Community Facilities, Zoning Docket No. ZC-01-1051 and Site Plan No. SP-01-1017, be approved. The motion carried unanimously. |
| ZC-01-1052
SP-01-1018
Continued Until
January 8, 2002 | It appeared that the City Council, at its meeting of November 13, 2001, continued the hearing of the application of Kelly Capital Investments for a change in zoning of property located at 250 University Drive from "C" Medium Density Multi-Family to "PD/SU" Planned Development/Specific Use for all uses in "E" Neighborhood Commercial for retail/showroom for equipment rental plus outdoor storage and display, hours of operation 7:00 a.m. to 5:30 p.m., Monday through Saturday, no storage of materials above height of fence, and no intrusion by lights on adjacent property, Zoning Docket No. ZC-01-1052 and Site Plan No. SP-01-1018. See letter of continuance. Mayor Barr asked if there was anyone present desiring to be heard. |
| George Jacob | Mr. George E. Jacob, 3121 Sondra Drive #201, appeared before Council in opposition of the zoning change and expressed concerns relative to industrial nature of the zoning change and the number of restrictions added by the Zoning Commission. |
| Fred Jensen | Mr. Fred Jensen, 2118 Daisy, appeared before Council in opposition to the zoning change. He stated that the outdoor storage was not compatible with other businesses along University Drive. |

Mayor Barr requested that both citizens contact Council Member Davis' office and address their concerns.

There being no one else present desiring to be heard in connection with the application of Kelly Captial Investments, Council Member Davis made a motion, seconded by Council Member Silcox, that Zoning Docket No. ZC-01-1052 and Site Plan No. SP-01-1018 be continued until January 8, 2002. The motion carried unanimously.

ZC-01-1053
Continued for
One Week
Gary Frederick

At the request of Mayor Pro tempore McCloud, Mr. Gary Frederick, 4600 Claire Chennault, Addison, Texas, appeared before Council. Mr. Frederick stated that he had met with the Garden Acres Homeowner's Association to discuss buffers in the area and that they agreed to keep working together on the development.

Mayor Pro tempore McCloud asked if a delay on approving this case would create an undue hardship for him.

Mr. Frederick stated that it indeed would create a hardship. The property had been undeveloped for a while. He added that they had down zoned which made the lots larger.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that the application of Mission Partners, Inc. for a change in zoning of property located at Oak Grove and 1000 Block of McPherson Road from "B" Two-Family, "E" Neighborhood Commercial and "FR" General Commercial Restricted to "A-5" One-Family, Zoning Docket No. ZC-01-1053, be continued for one week. The motion carried unanimously.

ZC-01-1062
Approved
Ord. No. #14893
Text
Amendment

It appeared to the City Council that Resolution No. 2794 was adopted on November 20, 2001, setting today as the date for the hearing in connection with Zoning Docket No. ZC-01-1062, Text Amendment by amending the Nonresidential District Use Table to allow colleges and universities in "FR", "F" and "G" Commercial Districts, "H" Central Business District, "MU-2" High Intensity Mixed Use District and "I", "J", and "K" Industrial Districts. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the recommended changes and amendments to Ordinance No. 14893 Text Amendment, Council Member Lane made a motion, seconded by Council Member Silcox, that Zoning Docket No. ZC-01-1062 be adopted and that the following ordinance be approved:

ORDINANCE NO. 14893

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING THE NONRESIDENTIAL DISTRICT USE TABLE TO ALLOW COLLEGES AND UNIVERSITIES IN THE "FR", "F" AND "G" COMMERCIAL DISTRICTS, "H" CENTRAL BUSINESS DISTRICT, "MU-2" HIGH INTENSITY MIXED-USE DISTRICT AND "I", "J" AND "K" INDUSTRIAL DISTRICTS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

The motion carried unanimously.

ZC-01-1064
Approved

Council Member Moss made a motion, seconded by Council Member Silcox, that the application of Fort Worth Housing Finance Corporation for a change in zoning of property located at the 4600 Block of East Berry Street from "C" Medium Density Multi-Family and "E" Neighborhood Commercial to "A-5" One-Family, Zoning Docket No. ZC-01-1064, be approved. The motion carried unanimously.

ZC-01-1065
Approved

Council Member Lane made a motion, seconded by Council Member Silcox, that the application of the City of Fort Worth Planning Department for a change in zoning of property located at 3001 McKinley Avenue from "B" Two-Family to "A-5" One-Family, Zoning Docket No. ZC-01-1065, be approved. The motion carried unanimously.

ZC-01-1066
Approved

Council Member Silcox made a motion, seconded by Council Member Davis, that the application of the City of Fort Worth Planning Department for a change in zoning of property located at 8032 Arbor Avenue from "B" Two-Family to "A-5" One-Family, Zoning Docket No. ZC-01-1066, be approved. The motion carried unanimously.

ZC-01-1067
Approved

Council Member Moss made a motion, seconded by Mayor Pro tempore McCloud, that the application of the City of Fort Worth Planning Department for a change in zoning of property located at the 4100 Block of American Boulevard from "F" General Commercial to "E" Neighborhood Commercial, Zoning Docket No. ZC-01-1067, be approved. The motion carried unanimously.

**ZC-01-1068
Approved**

Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the application of the City of Fort Worth Planning Department for a change in zoning of properties described below, Zoning Docket No. ZC-01-1068, be approved, with an amendment to Map D, 1905 East Vickery Boulevard:

Map A: 1002 South Retta Street
Map B: 1055 East Oleander Street
Map C: 1312 East Leuda Street
From "B" Two Family to "A-5 One-Family

Map D: 1905 East Vickery Boulevard
From "I" Light Industrial to "ER" Restricted Commercial

Map D: 1924 Avenue C
From "E" Neighborhood Commercial to "B" Two-Family

Map E: 808 East Lowden Avenue
From "B" Two-Family to "A-5" One-Family

The motion carried unanimously.

**ZC-01-1069
Approved**

Council Member Davis made a motion, seconded by Council Member Wentworth, that the application of the City of the Fort Worth Planning Department for a change in zoning of property located at 1105 Greer Street and 735 Woods Avenue from "D" High Density Multi-Family to "A-5" One-Family, Zoning Docket No. ZC-01-1069, be approved. The motion carried unanimously.

**ZC-01-1070
Approved**

Council Member Lane made a motion, seconded by Council Member Silcox, that the application of Synergy Industrial Park for a change in zoning of property located at 12800-13200 North Freeway (I-35W) from "C" Medium Density Multi-Family, "E" Neighborhood Commercial, "G" Intensive Commercial and "I" Light Industrial to "I" Light Industrial, Zoning Docket No. ZC-01-1070, be approved. The motion carried unanimously.

**ZC-01-1071
Approved**

Council Member Davis made a motion, seconded by Council Member Silcox, that the application of Harris Methodist Fort Worth for a change in zoning of property located at the Southwest corner of West Terrell Street and South Henderson from "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, and "D"

High Density Multi-Family to “G” Intensive Commercial, Zoning Docket No. ZC-01-1071, be approved. The motion carried unanimously.

**ZC-01-1072
Approved**

Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the application of Seena Management, Inc. for a change in zoning of property located at 701 East Rendon Crowley Road from “CR” Low Density Multi-Family to “CF” Community Facilities, Zoning Docket No. ZC-01-1072, be approved. The motion carried unanimously.

**ZC-01-1073
Approved**

Council Member Davis made a motion, seconded by Council Member Silcox, that the application of Art Bender for a change in zoning of property located at 612 8th Avenue from “PD/SU” 323 Planned Development/Specific Use for an office to “PD/SU/HSE” Planned Development/Specific Use for an office/Highly Significant Endangered, Zoning Docket No. ZC-01-1073, be approved. The motion carried unanimously.

**ZC-01-1075
Approved**

Council Member Haskin made a motion, seconded by Council Member Silcox, that the application of RH of Texas Limited Partnership for a change in zoning of property located at 1170 Ft. East of Justin Drive and Vernon Way from “C” Medium Density Multi-Family and “R1” Zero Lot Line Cluster to “CF” Community Facilities, Zoning Docket No. ZC-01-1075, be approved. The motion carried unanimously.

**ZC-01-1076
Approved
Bob West**

Mr. Bob West, 301 Commerce Street, Suite 3500, Trustee of Ridglea Presbyterian Church, appeared before Council and expressed their appreciation for all the work the City had afforded this project.

Council Member Silcox made a motion, seconded by Council Member Wentworth, that the application of the City of Fort Worth Planning Department for a change in zoning of property located at 6000-6300 Block of Camp Bowie Boulevard, 6300 Waverly Way, 3700 Westridge Avenue, 3300-3700 Block of Winthrop Avenue, 6300 Ridglea Place, 6100-6200 Block of Sunset Drive, and 3317 fairfield Drive from “E” Neighborhood Commercial, F” General Commercial, “G” Intensive Commercial, “PD-72” and “PD-159” to “MU-1” Low Density Mixed Use and “MU-2” High Density Mixed Use, Zoning Docket No. ZC-01-1076, be approved. The motion carried unanimously.

**ZC-01-1077
Ord. #14894
Approved**

It appeared to the City Council that Resolution No. 2794 was adopted on November 20, 2001, setting today as the date for the hearing in connection with Zoning Docket No. ZC-01-1077, Text Amendment establishing Urban Design District-Downtown and Downtown Design Review Board; Establishing Overlay Zoning District in area generally bounded by IH-30 on the south, Summit Avenue on the west, Trinity River on the north, and Burlington Northern/Santa Fe Railroad on the east. Mayor Barr asked if there was anyone present desiring to be heard.

Helen Wallace

Ms. Helen M. Wallace, 940 West Belknap, appeared before Council in opposition of the text amendment. She provided Council with a petition from residents who also did not favor the text amendment. She stated that 25 percent of her community was comprised Hispanic residents who could not read English. She added that the amendment provided no incentive for small business owners.

Mr. Bob Riley representing the Development Department stated that the text amendment was relative to that of historic property and that any change would require a review process.

Council Member Silcox stated that any appeals of the Board would be made to the City Council.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Ordinance No. 14894 Text Amendment, Council Member Davis made a motion, seconded by Council Member Haskin, that Zoning Docket No. ZC-01-1077, be adopted and that the ordinance be approved with the following changes:

1. Section 3F: In the title and paragraph, add "Downtown" before Design Review Board
2. Section 3, paragraph 5: Replace "Guidelines" with "Standards"

ORDINANCE NO. 14894

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING CHAPTER 4, "DISTRICT REGULATIONS", TO ADD SECTION 2.104 ESTABLISHING A DOWNTOWN DESIGN REVIEW BOARD; ADDING ARTICLE 12, "URBAN DESIGN DISTRICTS" TO CHAPTER 4; ADDING SECTION 4.1200, "URBAN DESIGN DISTRICT-DOWNTOWN", ESTABLISHING A DOWNTOWN URBAN DESIGN DISTRICT AND PROVIDING FOR DESIGN STANDARDS FOR NEW CONSTRUCTION AND CERTAIN RENOVATIONS IN THE DOWNTOWN AREA; REQUIRING A CERTIFICATE OF APPROPRIATENESS FOR NEW CONSTRUCTION AND CERTAIN RENOVATIONS IN THE DOWNTOWN AREA; PROVIDING AN APPEALS PROCESS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

The motion carried unanimously.

**ZC-01-1057
Denied With
Prejudice**

Council Member Moss made a motion, seconded by Council Member Haskin, that the application of Al Fox for a change in zoning of property located at 5224 East Lancaster Avenue from "FR" General Commercial Restricted to "MH" Manufactured Housing, Zoning Docket No. ZC-01-1057, be denied with prejudice. The motion carried unanimously.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Silcox made a motion, seconded by Council Member Davis, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 14895

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously.

**Citizen
Presentations
Ann Marek**

Ms. Ann Marek, 5366 Colony Hill Road, appeared before Council and expressed opposition to closing the City's aquarium. She stated that a 1998 bond election designated funds for improving the aquarium and asked Council to delay the demolition.

Mayor Barr informed Ms. Marek that he had been advised by the City Attorney that any major revisions to the contract with the aquarium had to be approved by Council.

Monnie Gilliam

Monnie Gilliam, 1100 Vicki Lane, representing the Vicki Lane and Bowie Street Homeowner's Association and the Fort Worth League of Neighborhood Associations, appeared before Council relative to solid waste issues. He requested that Council obtain more citizen input before any decisions were made.

George McLear

Mr. George T. McLear, 4744 Panola Avenue, appeared before Council in opposition of the demolition of the aquarium and herbitarium at the zoo. He also stated that he opposed deleting the zoo from historic and landmark designation.

Brad Dickey

Mr. Brad Dickey, 5809 Jacqueline Road, board member of the Eastern Hills Neighborhood Association, appeared before Council relative to the text amendment for automobile storage.

**CITY COUNCIL MEETING
FORT WORTH, TEXAS
DECEMBER 11, 2001
PAGE 34 of 34**

**Adjournment There being no further business, the meeting was adjourned at
10:11 p.m.**